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The Ford Foundation sponsored a conference involving school superintendents and the State Commissioners of Education from three states. Leaders of three national Negro organizations served as consultants,

Major issues confronting public school systems were discussed with regard to the basic challenges and problems presented by de facto segregation. The superintendents concerned themselves with methods for achieving a better racial balance in public schools and the advancement of the basic aims of public education in a free society.

Resources offered and views expressed by participating Federal agencies are given. The Department of HEW provides for guidance institutes under the National Defense Education Act. Under the Manpower Development and Training Act, provisions for vocational education and basic education are made. Federal aid is available to impacted areas. The Home and Housing Finance Agency is helping to combat discrimination and de facto segregation in housing. The Civil Rights Commission was created by Congress to study and follow legal developments involving the denial of equal protection of the laws.

The resources offered and views expressed by national Negro organizations - NAACP, the National Urban League, and CORE - are presented. Open Enrollment, the Princeton Plan, the neighborhood school concept, and the educational park concept are discussed.

Guidelines are presented for study: student grouping techniques, early admission programs, financial investment and cost, legislation, enrollment policies, and pupil transportation. Community planning is called for.

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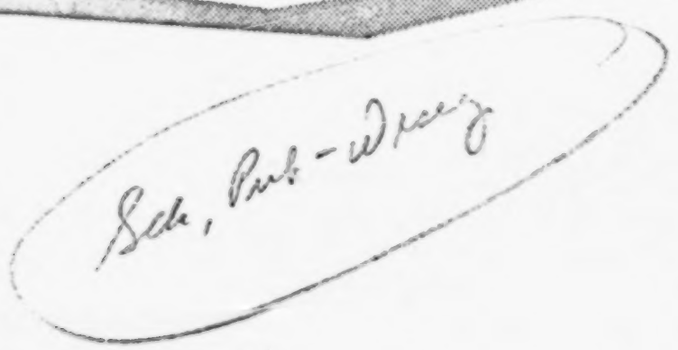
SCHOOL SUPERINTENDENTS CONFERENCE

ON THE PRACTICAL PROBLEMS OF

PUBLIC SCHOOL DESEGREGATION



Report Prepared under the Direction of

GEORGE B. BRAIN, *Conference Chairman*

Superintendent of Public Instruction

Baltimore City Public Schools

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PUBLIC SCHOOL DESEGREGATION

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Foreword

The Superintendents Conference on the Practical Problems of Public School Desegregation was held on August 5, 6, and 7, 1963 in Baltimore City. The Conference was underwritten by a grant from the Public Affairs Division of the Ford Foundation.

Purpose. The general purpose of the Conference was to provide a forum for the Conferees' free exchange of ideas so as to clarify the role of the public schools in mitigating the effects of de facto segregation. A closely related purpose was to examine and identify promising, legal, and educationally sound ways of administering educational programs to achieve better racial balances in the public schools while at the same time advancing the basic aims of public education.

In the planning stages, it was felt that much could be achieved through the sharing of ideas and through an open confrontation of differing approaches to the solution of some of the de facto segregation problems. It was hoped further that the Conference might yield guidelines to some next steps that could be taken in the resolution of an urgent national and moral crisis.

Participants. The Conference participants included a selected group of public School Superintendents and the State Commissioners of Education from three states. Serving as consultants were the leaders of three national Negro organizations. Assisting the Conference in a consultant role were representatives from various Federal agencies including the Department of Health, Education, and Welfare; the U.S. Office of Education; Home and Housing Finance Agency; the U.S. Commission on Civil Rights; and the Civil Rights Division of the U.S. Attorney General's Office, Department of Justice.

Participation was limited to a rather small number in order that all participants, in an informal seminar, might enjoy the fullest possible freedom to speak freely and honestly. It was understood that the Superintendents would not necessarily represent their school systems, but would participate because of their leadership roles and especially because of their broad experience.

Scope of Conference. The Conference was based on the assumption that all possible efforts should be made to combat de facto segregation in the public schools wherever it exists. The discussion, therefore, focused on the practical problems involved, the difficulties to be anticipated as well as those already encountered, and the most practical and appropriate means of dealing with those problems and difficulties.

The application of constitutional and judicial rulings bearing upon the enrollment of all children and youth in the public schools guided the discussion. More specifically, the discussion focused upon the school board policies and administrative procedures aimed at assuring that every child and young person is provided with maximum access to equal educational opportunities.

The Superintendents also considered other broad community and social problems which affect the operation of the public schools and the attempts being made by the total community to counteract de facto segregation. It was for this phase of the Conference that representatives of Federal agencies and national organizations were invited as consultants and resource persons. Definite emphasis was placed upon the need for broad coordination and sound planning rather than upon a fragmented approach to the complex desegregation challenge.

It was understood by all persons having a part in the Conference that easy and sweeping solutions were not expected to come about as a result of the Conference, certainly not as an immediate outgrowth of the Conference. Rather the aim was to develop some clear-cut guidelines that might be followed by superintendents in seeking solutions to their local desegregation problems.

The Conference plan was based on the premise that public education is founded on the fundamental principle that all children and youth must be afforded equal, fair, favorable, and appropriate opportunities to acquire an

education and to discover and develop fully their talents and capabilities. In order that individual cities in our nation continue to progress, public education must make every effort to provide the environment and guidance that will make it possible for young people to expand to their fullest potential, to develop a set of values based on moral precepts and social effectiveness, to learn to think critically and analytically, and to act responsibly. The keystone in such a program of education is the full recognition and respect that must be accorded the worth and dignity of each child, youth, and adult.

It was further agreed, at the beginning of the Conference, that all recommended policies, practices, and suggestions must be based on principles that are educationally sound and democratically founded. The task of equal educational opportunities was seen as a challenge to society as a whole—citizenship, employment, housing, religion, education, etc. Each of these contributes to the fulfillment of equal educational opportunity and toward the achievement of democratic goals. Although the statement of the Conference is primarily concerned with the role of education, it must be recognized that these democratic goals are interdependent and must operate simultaneously.

Press Relations. All sessions were off the record in order to permit the fullest possible freedom in the exchange of facts and understandings.

A press release was issued two weeks before the Conference and on Sunday evening, August 4, representatives of the daily and weekly newspapers and of the radio and television stations were invited to a press conference. The Conference Chairman presented the goals of the Conference, introduced participants who had arrived, answered reporters' questions, and distributed a news release.

At the conclusion of the Conference on August 7, a second press conference was held and a prepared release was distributed.

All participants and consultants were informed that a report of the Conference proceedings would be prepared, that it would be general in nature, and that it would be without identification of individual comments.

Acknowledgments. Appreciation is expressed to all persons who had a part in planning the Conference, as well as to those who participated in the Conference proceedings and in preparing the report for publication: to the Ford Foundation, particularly Henry Saltzman, for planning assistance and for underwriting the cost of the Conference; to Robert C. Lloyd who was released from his regular duties as administrative assistant to the Superintendent in order that he might serve as Conference Coordinator and who had a coordinating part in the preparation of this Conference report; to the Bureau of Publications of the Baltimore City Public Schools for editorial and all other technical services related to preparing this report for printing and seeing it through the press.

GEORGE B. BRAIN
Conference Chairman

April 1964

PART I

Major Issues Confronting Public School Systems

For many decades of American history, the public schools have faced a basic challenge of providing educational opportunities that are appropriate and fair and favorable to all children and youth. Within recent days and years, this challenge has taken on a new urgency and a new significance. The challenge has forced the American people to face squarely a basic problem which is referred to as de facto segregation or racial imbalance. Regardless of the labels, the challenge has steadily come into sharper focus and requires an examination of the major issues confronting school systems. That these major issues are extremely complex in their nature and particularly that efforts are needed to come up with reasonable solutions are self-evident. And yet, there is some question in the minds of many educators as to present knowledge and understanding of the causal factors of the basic problem and its practical solution.

Factors Relevant to Solution of Problem

Conference participants spent considerable time in examining the multi-factored dimensions of the challenge and of the consequent problems of mitigating the effects of de facto segregation in the public schools. In the exploratory discussion, the following factors were identified:

public understanding of the issues and challenges and problems

local school board responsibilities

broad understanding of both the legal and the moral issues

recognition and understanding of groups that are seeking fulfillment of civil rights implications for school systems in matters of policy, budget, staffing, facilities, and the like

community feelings and community readiness to meet and solve some of the basic problems

the need to examine the issues on a metropolitan basis rather than on a community or city basis

tax levy or budget support of the program of public education

employment patterns and opportunities housing patterns

population mobility that may create resegregation of minority groups

population mobility trends generally within a city, a metropolitan area, and even the nation as a whole

reexamination of the neighborhood school concept

consideration of de facto segregation and the possible definition of racial quotas in schools

various forms of school districting or the establishment of boundary lines

possible effects of de facto segregation on efforts to consolidate school districts within an area or state

consideration of the need for prekindergarten or preschool programs

declining tax revenue sources within cities and other communities in the face of more people with more needs

the merging of school districts, above and beyond consolidation concerns

a study of the sources of financial aid for education, including Federal, state, local, and other sources

the importance of professional leadership within public school systems

the implications of public school desegregation policies on nonpublic school education

understanding of the living and working patterns of minority groups, particularly minority groups that have been referred to as culturally deprived or culturally disadvantaged

teacher training

problem-solving efforts between the educators and the community in the realization of civil rights

court actions and the interpretations of these actions

the broad concern for any and all inequities within public school systems

consideration of the feelings and concerns of non-Negro groups

Though the above factors are listed in the random order in which they were offered, the enumeration illustrates the complexity of the issue and the implications for education of de facto segregation in the public schools.

Guidelines for Study of Problem

A closer study of the listing of practical considerations suggested a number of fundamental questions that will need to be answered. These same questions might well serve as guidelines for study by school systems and communities. Several of these questions are suggested below:

1. How does one undertake creating improved public understanding of the major issues? Which groups, agencies, or individuals have primary responsibility in this effort?
2. Can one separate the issues into legal and moral components? Are there differences between these components of the problem?
3. What are the relationships between de facto segregation in the public schools and such community problems as employment opportunities, housing opportunities, and other practical matters of community life, particularly as these matters in a community affect minority groups?
4. Will the "property tax" source of funds as the principal origin of monies for the operation of the public schools be adequate in the future in the face of increasing numbers of people who are contributing less to the total tax fund?
5. Are there not levels of increasing difficulty in making progress?
6. How can a community organize citizens to devise the broadest kind of social planning which would affect all aspects of community welfare and community progress?
7. Have the various agencies of government at all levels clearly stated their positions in the matter of de facto segregation and racial imbalance? Will legislation help? How? Enforcement problems?
8. How does a society approach and meet forthrightly the elimination of race consciousness?
9. Is there adequate awareness of the long-range implications of immediate decisions?
10. What is the relationship between the current and the historic grievances of the Negro group?
11. How much time is available? How much time is required? How rapidly should the community, including its school system and other institutions, move toward resolving and ultimately eliminating the many problems?
12. What efforts can be made or should be made to stop the erosion of the inner cities? Is a new perspective indicated in the matter of metropolitan planning?
13. What kinds of research are needed in this area? How will this research be financially supported?
14. How can the creativity required to solve many of the problems be fostered?
15. What kinds of research are needed to study the effects (1) of segregation, including de facto segregation, and (2) of deliberate mixing? What are these effects?
16. What are the facts concerning values derived from mixing races and groups of people? What is the true and proper function of the public school in this matter?

17. How can increasing school operating costs be met?

These questions are not academic questions; they are real. Indeed, there are more questions than answers at the present time.

One of the first steps, however, to be taken in solving the many problems is to identify clearly the basic questions.

Premises Underlying Study

In back of these questions are others of a very practical nature. Among the many posed by the Conference personnel, those following will serve to suggest and substantiate the difficult job that lies ahead in seeking out answers and solutions. The questions are framed in the light of premises.

PREMISE: Schools should assume responsibility for combating de facto segregation and should proceed to bring about a racial balance in as many schools and classrooms as possible within the framework of local conditions.

QUESTIONS:

What should be done about the anxieties and apprehensions and feelings of those involved in such an effort?

What effects, if any, on a so-called white school are brought about by the introduction of Negro children?

Specifically, are there effects on the achievement levels of children, on the program of extracurricular activities, and on the operation of the Parent-Teacher Association?

If a school operates according to a plan of total classroom integration of children, how will this plan affect the Negro pupils whose achievement and ability levels may be substantially lower than others in the classroom?

Should children be transported from overcrowded situations into the closest school that has facilities or should this transportation plan include consideration of racial balance?

How important is desegregation of staff?

PREMISE: A good educational program will provide the services needed for all types of children of varying abilities and disabilities. These services might include what have been called special or compensatory services for those requiring special assistance of one sort or another.

QUESTIONS:

Will provision of compensatory services to the Negro pupils call too much attention to their deficiencies and incapabilities?

What special services, in fact, are truly needed to compensate or take cognizance of home and community conditions that have caused deprivation of or deprivation in the backgrounds of certain pupils?

What is the position of the Negro civil rights groups regarding remedial compensatory or special services for Negro children?

How will the increased cost of these services be handled by the communities?

PREMISE: School systems should offer instructional programs in areas such as distributive education, vocational education, and other areas specifically planned to prepare young people for employment immediately after leaving school.

QUESTIONS:

What is the responsibility of the public school system in the matter of employment opportunities and, particularly, job discrimination where discrimination prevails?

Should a public school system take any steps that might lead to discontinuance of vocational training programs in the schools where the pupils in these programs do not have equal job opportunities in the community?

PREMISE: Steps should be taken by the public schools to evaluate continuously efforts to bring about racial balance in the schools, classrooms, and other educational activities and programs.

QUESTIONS:

Have the civil rights groups set up timetables for particular school systems to accomplish this goal of racial balance? If so, on what basis?

How can communities cope with the apparently persistent problem of white families leaving communities in the face of Negro mobility?

What about the Negro parents objecting to their own children being transported out of the local neighborhood?

Should consideration be given the actual closing of some schools in order to bring about the integration of pupils within the public schools?

Summary

This part of the report has endeavored to highlight the basic challenge and some of the basic problems of de facto segregation in the public schools. Some aspects of the problem, such as site selection, placing additions onto existing facilities, using portables and mobile classrooms, transfer policies, and enrollment boundary lines have not been listed. Many of the points identified and the questions raised will be treated in subsequent parts of this report.

It should be re-stated that the participating Superintendents concerned themselves with two major issues: (1) the achievement of better racial balances in the public schools and (2) the advancement of the basic aims of public education in a free society.

PART II

Resources and Views of the Participating Federal Agencies

The Superintendents considered other community and social problems which affect the operation of the public schools and the attempts being made by the total community to counteract de facto segregation. For this phase of the Conference, representatives of Federal agencies were invited as consultants and resource persons. An emphasis was placed upon broad coordination and sound planning in approaching the complex desegregation challenge.

A. Department of Health, Education, and Welfare

The representative of the Department of Health, Education, and Welfare presented the following views in speaking for that department of the Federal Government. The Department

1. has few, if any, answers but is seeking solutions to the many problems
2. considers education as a state and a local responsibility
3. has a strong interest in education and has demonstrated this interest in education in part through various forms of Federal financial and consultative aid
4. views segregation as both a moral and a legal problem
5. identifies the need for improved coordination of services and programs of the various Federal agencies.
6. has plans for assuming a stronger leadership role in the whole area of segregation

Civil Rights Bill

Reference was made to legislation pending in the Congress of the United States, the Civil Rights Bill, part of which contains a provision whereby the Office of Education could provide both technical and financial assistance to school districts in the United States that request help over the difficult period of bringing about racial desegregation of their schools. Reference was made to possible Congressional resistance to this legislation.

Purposes of U.S. Office of Education. One of the major purposes of the Office of Education has been to find ways to help improve the quality of education. In general, this program is ongoing and will continue. The Office has been moving to some degree to consider special efforts that would be directed to the problems of the educationally disadvantaged and to the peculiar problems that arise in efforts to correct racial imbalance.

Guidance Institutes. Attention was called to two guidance institutes supported under the National Defense Education Act, one at New York University and the other at Teachers College, Columbia. These institutes are particularly directed to training counselors for schools in deprived areas. This effort broadens the concern of desegregation beyond the racial imbalance problem.

MDTA. Under the Manpower Development and Training Act, vocational education and basic education are being increasingly combined. An effort is being made to find some way not only of giving proper job skills to people who had difficulty during their school careers, but also providing some of the basic education that they missed. Another project at Hunter College is making an effort to develop a special English curriculum for junior high schools in Puerto Rican and Negro neighborhoods of New York City. Overall planning includes local dissemination of information gained from these research activities.

Long-Range Problems. There was recognition of the possibility that immediate solutions to some of the racial problems may ultimately produce long-term difficulties. This led to the consensus that along with examining immediate problems and viewing the long-range implications of immediate decisions, there must be action on the broadest front.

Federal Aid to Impacted Areas. In reply to a question regarding Federal aid for impacted areas, particularly where there are segregation or desegregation problems, it was noted that the U.S. Commissioner of Education has the responsibility to see that on-base military children are given a suitable free education. In March of 1962, the secretary of HEW said, in the light of the Supreme Court decision, segregated education is in fact unconstitutional and unequal and, therefore, would have to be judged unsuitable. Thus, local education that is segregated on the basis of race would be deemed unsuitable. It was pointed out, however, that this ruling deals only with the on-base children and would not affect other children attending off-base schools in an impacted area.

Requests for Technical Assistance. If a request for assistance is received from a local school system, the agency would be authorized by Congress to be as helpful and as constructive as possible and in as many ways as possible. The assistance relates to certain features of the new Civil Rights legislation currently being considered by Congress and would provide funds and staff and additional authority for providing such assistance.

Federal Aid Bill. The Federal Aid to Education Bill that was not passed in 1963 provided for setting aside 10 percent of the aid for elementary and secondary schools for research and demonstration projects. The money could be used in part to attack particularly acute educational problems for which money could not be obtained from local school boards. This provision would have added considerable flexibility.

State-Federal-City Relations. Considerable time was spent in discussing the problems confronting the major cities in the nation with particular regard to the passage of legislation and with regard also to the relationship between the cities, the state governments, and Federal agencies. It was noted that the Office of Education is almost 100 years old while many agencies of the Federal Government, such as housing and home finance, are of relatively recent establishment. The people that lobbied for the creation of these more recent agencies were the mayors, the representatives of the big cities. Much of their activity came about because of a certain kind of frustration at not being able to get what might be termed a sympathetic ear about their problems at the state capitol. Thus, many of the big cities are now finding it possible to deal directly with the Federal Government in certain of these programs.

Interrelatedness of Problems

The broad race problems, it was said, cannot be solved without solving the school problems and vice versa. There needs to be a bold recognition on a national scale of the overall problems facing the cities in America. Federal agencies and legislators simply must face these problems and these issues, for the state legislation and the individual school systems within a state cannot solve the problems alone.

B. Home and Housing Finance Agency

Until the President issued his executive order on equal opportunity in housing in November 1962, the program of the Housing and Home Finance Agency was making only slow progress in combating discrimination in housing. Some desegregation had been accomplished in public housing through the Public Housing Administration. Mainly through persuasion, the Urban Renewal Administration had achieved some desegregation in approximately 72 percent of the dwellings constructed in urban renewal sites. In most instances, these accomplishments were made in cities of the North and Northwest. The program for housing for the elderly has been operated on a nondiscriminatory basis since its inception. The executive order of 1962 placed this whole problem in a much more accessible position, as far as the Agency is concerned.

The preamble to the order points out that discrimination because of race, color, creed, or national origin in federally-aided housing is unfair, unjust, and inconsistent with the

public policy which is to provide a decent home and a suitable living environment for all American families. The executive order further asserts that discrimination in housing results not only in substandard conditions for many Americans but also furthers discrimination in other fields. This order may refer to what is occurring in the schools.

Laws Related to Housing

The laws related to housing may be summarized in three groupings: first, those applicable to the publicly-owned and administered housing; second, those related to urban renewal areas and to housing assisted by public loan insurance or guarantees; and third, privately-owned housing not assisted through public programs.

With the rapidly changing population, it is essential that cities undertake comprehensive efforts to eliminate inequities implicit in the amount and location of housing available to nonwhite families. Such inequities are at the base of the problem of de facto segregation.

Population Data

In 1960, the census counted nearly 20 million nonwhites in the United States and they approximated 11 percent of the total population. For the past two decades, however, nonwhites have been increasing at a significantly faster rate than whites. The percent gain between 1940 and 1950 was 17.1 percent. Between 1950 and 1960, it was 26.7 percent. In fact, the increase in nonwhite population during the decade of the 1950's accounted for more than one-fifth of the approximately 20.5 million for the entire nation in 1960.

The picture of the migration of nonwhites is germane to consideration of the problems of segregation and desegregation. At the turn of the century, 87 percent of the nonwhite population was concentrated in the South, mostly on farms. Over the years, the quest for greater economic opportunity has prompted increasing numbers to leave the South, and they have left. And they have also left the farms in all regions. Reflecting these migrations, the 1960 census found only 56 percent of the total nonwhite population in the South and an increasing proportion in other regions.

The 1960 urban nonwhite population stood at 14.8 million, over half a million increase over 1950. The rural nonwhite population by contrast dropped over half a million during the same period. The nonwhites, furthermore, have tended to gravitate to the larger cities. Slightly more than half of the nonwhite population lived in the cities in 1960, a gain of 61.3 percent over 1950. Among the whites, on the other hand, there has been a shift from the cities to the suburbs for many years, with the result that less than one-third of the white population in 1960 lived in central cities. From the standpoint of the nation's 212 standard metropolitan statistical areas, the divergent patterns for the white-nonwhite sections of the population are very apparent. Among the whites, over 50 percent live outside of the central cities. In the case of the nonwhites, 78 percent live in central cities and only 22 percent in the suburbs. Of particular interest, perhaps, is the fact that nearly 4.9 million nonwhites, or roughly one-fourth of all nonwhites, and one-third of the urban nonwhite population in 1960 were concentrated in the nation's ten largest cities. As a result of general population shifting, the net gain in population for the ten largest cities was attributable entirely to nonwhites.

Housing and De Facto Segregation

The problem of de facto segregation is going to be very difficult to meet unless two things can be accomplished at one time. First, a more effective kind of educational system must be developed for people in depressed situations. Second, we must accelerate the opportunities for nonwhite families to move to areas to which they are now denied entrance.

The former "straight-laced, businesslike" credit programs operated by the Federal Housing Administration have tended to give way to more realistic contemplation of what people are potentially able to do in purchasing housing. The problem here is simply the ability or inability of nonwhites, more specifically the Negroes, to obtain mortgages. This inability serves as a deterrent to Negro families moving into certain neighborhoods. While some progress can be reported and more is anticipated in the next few years, no significant impact can really be expected to relieve the de facto segregation.

For any housing that will be completed or that has been completed since the executive

order issued in November 1962, race quotas will be a violation of the President's executive order.

Housing and School Building Programs. Not only must the planning organizations of the city work with the schools, but the schools must be willing and ready to work with the planning organizations. It is not unreasonable to contemplate that the people in education should explore further with the Urban Renewal Administration the possibility of legislation relative to the acquisition of property and its relationship to an urban renewal project. It may be possible for the school system to receive reimbursement when the area is circumscribed by an urban renewal project, particularly where Urban Renewal uses the cost of the new school as a claim for Federal money.

The matter of public housing, particularly as it relates to the schools, has still another facet that ought to be considered. In some communities, it could be said that the existing procedures reward the improvident. If a community is permitted to deteriorate and is then rehabilitated, it is true that this community would get financial assistance. Another community that plans ahead and proceeds with its own rehabilitation measures, perhaps, would not be considered for Federal financial assistance.

In a way, one could say that the school people have inherited many of the problems left behind by the physical planners, the rehabilitation people, and others. Part of the real difficulty in this whole matter may be related to the feeling that the central city is the thing to be regained. This may be a fallacy as anyone can see who looks at the trends. The central city simply must deconcentrate and as a matter of fact, has been deconcentrating at a rate which is underestimated. Deconcentration is going to continue.

C. Civil Rights Commission

The U.S. Commission on Civil Rights is an independent factfinding agency created by Congress through the Civil Rights Act of 1957. Congress charged the Commission to study and collect information about legal developments constituting denial of equal protection of the laws. This is the reason the Commission is able to concern itself with public education. Congress has also directed the Commission to make recommendations to the President and to the Congress every two years. This duty to make recommendations requires an attempt on the part of the Commission to understand the causes, to seek possible cures, and to find what kind of educational opportunities for minority group children would be less unequal than we have today.

Absence of Compulsory Segregation

The Court decisions up to this point are not conclusive in the matter of the applicability of the Supreme Court ruling on segregation when there is an absence of school assignment by race. There is considerable testimony by experts to the effect that segregation, however caused, is unequal education for the minority child. In the several administrative decisions that have been handed down, there was an express finding that even where the segregation existing was entirely fortuitous, this segregation was harmful to the minority group child.

The report of a special commission set up in a northern state says that the presence in a school of children from varied racial, cultural, socio-economic and religious backgrounds is an important element in the preparation of young people for active participation in the social and economic affairs of our democracy.

Residential Segregation

The ultimate question is whether just the existence of this kind of segregation is a violation of the Constitution. Most will agree that public school segregation in the North and West probably comes from residential segregation plus the superimposition of a neighborhood school policy on the segregated housing pattern. It may be that the residential segregation was illegally created in the first place. The fact that two state agencies instead of one may have brought this about makes no real difference constitutionally. The school board that places geographic zoning on top of racially restricted areas is, in a sense, compounding a wrong created by another arm of the government.

School Segregation

The Commission has looked at a total of 11 school systems to see what happened to the composition of the schools in the recent shift from what was practically a compulsory segregated system to geographic zoning. In 3 out of the 11, there was a change. In 2 of these 3, the school authorities closed the Negro schools and distributed the pupils. But in the other 8, only in one case did the change to geographic zoning make any material difference in the racial composition of the schools.

When a school site is selected and the size of a new school is decided upon, the decisions determine the racial composition of the school. When the decision to enlarge one school instead of another school is made, the result may well be that one remains a segregated school, either the one left undisturbed or the one enlarged. These are possibilities. When the decision to locate portable classrooms, mobiles, or whatever the particular community calls them has been made, the decision may well be one of segregation or desegregation.

No official transfer plan or provision of which racial segregation is the purpose and inevitable consequence may stand under the Fourteenth Amendment. But it is very difficult to prove bad faith on the part of the school board. If unlawful purpose can be implied from the consequence, many actions require reevaluation.

This Commission is not concerned only with the constitutional aspects. Because of a mandate from the Congress to make recommendations, it is concerned with all things that affect equal educational opportunity.

There's a tradition in America that the function of public education is to meet societal changes and demands with imagination and with dedication to the welfare of all children.

Constitutional Obligations

The constitutional obligations of school districts arise because they are instrumentalities of the state. The Fourteenth Amendment speaks of the state. The state created the school district. The state has an obligation to make changes in its school districting if the districting practice violates the constitution.

In many instances, what is called "geographical zoning" actually is "racial zoning" that may be gerrymandering. "Geographical zoning" very frequently follows housing color lines. It is not geographical in the sense of encompassing or referring to an area having an independent identity.

Anything that's good for the Negro population is likely to turn out to be good for the population of America as a whole. The question for school administrators is to decide what is needed.

The use of money as an incentive would be valuable. Also, the provision by the Congress of funds to effect changes that would be required is one way in which the Congress and the Executive Branch of the Government can really prove to the people what their intentions are. Any statement made by the Government is likely to be nothing more than a pious utterance up to the point where it is necessary to provide the funds.

D. Civil Rights Division of the U.S. Attorney General's Office, Department of Justice

The Department of Justice is concerned not only with certain implications that have been attached to the word "segregated," "segregated schools," but the use of the word "desegregation" as being synonymous with integration. This is important in the legal field because they are not synonymous. They are not interchangeable, although throughout this Conference almost every speaker has used the terms interchangeably. "Desegregation" means to stop segregating according to race. "Integration" implies the forcible mixing of races.

While some may feel that this is a technical distinction without a great deal of difference, it's very important in the field of law and in the field of the decisions of the courts.

Functions of Department of Justice

The Department of Justice is a law firm that represents the Departments of the Government. When the people sue the Government, when the Government sues in taxation cases, when the Government goes into court, the third judicial branch, it's the Department of Justice lawyers who represent the Government. It's not a ministry of justice despite the common misunderstanding of a great number of people. Many persons seem to think that they can bring their problems to Washington and the Department of Justice ladles out justice. That isn't true.

Legislation on Civil Rights

It is not generally understood that for 90 years following the Civil War and the enactment of the Civil Rights Acts of 1866, 1871, and 1875 there was no legislation enacted in this field authorizing the Federal Government to take any action at all. Thus, for 90 years the Federal Government had only three little criminal statutes one paragraph long. That was all the law that the Federal Government had as a basis for taking affirmative action to vindicate a person's constitutional rights. And, of course, because those were criminal statutes, it was necessary to obtain an indictment before a grand jury of local citizens before they could be enforced.

Criminal action is punitive; civil action is remedial. But the Civil Rights statutes require that the private individual has to go into court; he must have or should have legal counsel. He files a case to get relief. Those are the statutes which were utilized, eventually, to set aside the laws requiring segregated schools.

Among the provisions which the Department of Justice included in the Civil Rights Act of 1957, there were three which ultimately were passed. One created the Commission on Civil Rights. A second created the Civil Rights Division of the Department of Justice with an assistant attorney general as the head. A third gave to the Attorney General the right to go into civil court to seek injunctive relief on behalf of Negroes who had been discriminated against in voting. The third provision of the Act fell by the wayside in the Senate.

Constitutional Rights Involved in School Situations

Many people have lost sight of the nature of the constitutional right involved in the school situation. It is not the right to go to the public school—that is to say, not in the Federal Constitution. There is no federally protected right to attend a free public school. That is a state-conferred right.

The right that is involved in the public school desegregation question is not the right to attend a free public school but the right not to have the laws applied unevenly. The general public tends to lose sight of this fact. The federally protected right is found under the Equal Protection Clause of the Constitution.

Any school which is all white or all nonwhite is not necessarily a segregated school. A *segregated* school implies that there has been an attempt to classify racially and to require only a particular type of person to attend the school. Of course, there are a great many schools where segregation occurs naturally.

Because of the misunderstanding of the meaning of the school segregation decision in the field of education, Judge Parker in *Briggs* vs. *Elliott* explained it in these terms. "It is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the Federal Courts are to take over or to regulate the public schools in the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend school or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly. But if the schools which it maintains are open to children of all races, no violation of the Constitution is involved, even if the children of different races voluntarily attend different schools.

"Nothing in the Constitution or in the decisions of this Court takes away from the people the freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The Fourteenth Amendment is a limitation upon the exercise of power by the state or state agencies, not a limitation on the freedom of individuals."

One of the cases discussed was the Gary, Indiana, case which was then on appeal to the U.S. Court of Appeals for the 7th Circuit. On October 31, 1963, that Court handed down its decision in *Bell* vs. *School City of Gary, Indiana.* The citation is 234 F.2d 209. Said the Court:

> "Plaintiffs are unable to point to any court decision which has laid down the principle which justifies their claim that there is an affirmative duty on the Gary School System to recast or realign school districts or areas for the purpose of mixing or blending Negroes and whites in a particular school."

The Court held that no affirmative constitutional duty existed to change an innocently arrived at school attendance district by the mere fact that shifts in population had increased or decreased the percentage of Negro or white pupils, and that plaintiff's constitutional rights were not being violated.

Incidentally, the Court cited ***Briggs*** vs. ***Elliott***, saying:

> "The Constitution, in other words, does not require integration. It merely forbids discrimination."

The Department of Justice may invoke these rights which are set out in the Constitution. As pointed out from the days of Marshall and ***Marburg*** vs. ***Madison***, the Constitution is a living document and it needs to be interpreted in the light of the times.

These are some of the limitations and the inadequacies of the Federal Government in this difficult field in which public school administrators obviously need help.

PART III

Resources and Views of National Negro Organizations

A. The National Association for the Advancement of Colored People

The causes of segregation are numerous. There's no question that extensive racial segregation in housing—private housing as well as public housing—constitutes the basis for de facto segregated schools. But the question in many instances is to what extent, over a period of years, the traditional methods of drawing school zone lines and other traditional approaches to the organization of school systems have contributed to the growth, to the extension, and to the perpetuation of schools which are in fact racially separate schools. In many instances what is called "geographical zoning" actually becomes "racial zoning." Every time the Negro community has grown and expanded substantially, the zone lines have followed the growth of the Negro community. Even if not designed, the zones or boundaries result in the containment of nonwhite children within segregated residential areas and of white children within white-segregated areas.

Understanding and Commitment

Unless there is a basic understanding and basic commitment in terms of eliminating a fact which denies children an equal educational opportunity, it is very difficult to proceed to discuss or consider the kinds of remedies and the practical approaches which are available or which need to be formulated in order to deal with the problem. Understanding that segregation is harmful even when it is not deliberate has not been very widely held among boards of education and school officials.

But the whole tone in discussing this issue changes in Northern communities where there is the belief that no one has a responsibility within the school system for having created this situation, that this is all a result of segregated housing, and that the responsibility does not fall on the school system for change.

Court Actions

The NAACP, as part of the broad approach to the problem, has filed a total of 17 court actions. The 17 legal actions include 12 cases that have been filed in the Federal Courts challenging the constitutionality of existing segregation.

In some instances, the charge is made that discriminatory practices have contributed to or have resulted in de facto school segregation. In other instances, this charge is not made. But in all instances, the NAACP has taken the position that whether intent has been present or not, there is a constitutional obligation on the part of public school officials to take whatever steps may be required and are educationally sound to achieve maximum desegregation.

This is the issue before the Federal Courts that has not yet been determined. While none of these cases has been selected specifically as a test case, there is a great likelihood that one or more of the cases will eventually reach the United States Supreme Court and will become, in effect, a test case.

Need for Corrective Action

In addition to the litigation in process, there has been an increasing awareness on the part of educators and on the part of state and local officials of need for affirmative and corrective action.

The NAACP is calling for recognition of the undesirability of racial imbalance in public schools and for school officials to direct themselves toward the achievement of better racial balances.

The NAACP is urging the elimination of

those discriminatory practices which have contributed to de facto segregation in the public schools. There is also a call for affirmative action on the part of school boards and school administrators to reexamine the racial composition of the schools, to acknowledge color very freely and publicly in order to find ways and means of eliminating existing segregation. This is sometimes qualified by adding the phrase "to the fullest extent possible" or expressed in terms of "maximum desegregation." There is recognition by the NAACP that while desegregation can be achieved completely and fully in some of the smaller school systems, it would be virtually impossible in the larger school systems. Yet there must be a direction and a commitment toward achieving maximum desegregation to the fullest extent possible in all public school systems.

What works in one school system, obviously, may not work in another. Moreover, what works for one part of a city may not succeed as a plan of desegregation in another part of the city.

A very basic approach to achieving greater desegregation is rezoning not on the basis of following the color lines of housing but rezoning deliberately and carefully, drawing into a single attendance area portions of white and Negro residential areas. The NAACP suggests that the principle of integration be a criterion along with the traditional criteria of distance, safety, topographical features, etc., in drawing school zone lines.

Princeton Plan. The NAACP urges the adaptation of what has become known as the Princeton Plan, a plan first formulated in Princeton, New Jersey, and Salem, New Jersey. Adjacent schools are combined into single attendance areas and the children are assigned to schools by grade so that one school houses grades 1, 2, and 3 and the second school houses grades 4, 5, and 6. All children within this newly-defined attendance area are then assigned on the basis of grade.

Numerous communities have reorganized the use of schools in this manner to eliminate existing segregation.

Some school systems have attempted in other ways to reorganize the use of schools and in some instances eventually closed a school that is in fact "the segregated school."

These methods of changing the pattern of racial containment need to be tried especially in the larger school systems. After having examined the elementary schools and having found sound administrative ways of achieving greater desegregation on the elementary school level, the pattern of elementary schools feeding secondary schools needs to be altered. Unless this step is taken, the pattern of segregation which begins on the elementary school level is perpetuated and becomes solidly entrenched throughout the entire school system.

Open Enrollment. From the NAACP point of view, open enrollment is the least desirable plan of desegregation because it is the least effective. It raises a host of problems for the Negro community. It raises a host of problems for school administrators in terms of the issues related to transportation. It leaves intact schools with decreased enrollment that are still de facto segregated schools. The NAACP has vigorously opposed the use of open enrollment except in those instances when, by virtue of extensive segregated housing, it is not possible to achieve desegregation through rezoning or adaptation of the Princeton Plan.

There are no answers yet for the school that is in the heart of the segregated Negro community.

. There is a feeling among the NAACP leadership that the same boards of education, the same school administrators who were resistant to dealing with the desegregation problem initially, are turning more and more to open enrollment as an evasion of meaningful desegregation. The NAACP is committed to opposing the misuse of the open enrollment policy except where other more effective plans, because of extensive segregated housing, cannot be used. Even then open enrollment is only a partial answer. It becomes meaningful only when the school system, city or suburban, reexamines all policies and practices and makes maximum desegregation effort.

Compensatory Programs. The segregated Negro schools are frequently the schools that are the most overcrowded, that have a host of other problems that contribute to lower educational standards. These need not be enumerated. The NAACP is very concerned to see that the educational standards of these schools

are raised. The NAACP is also concerned with raising the quality of education. However, in some cases quality has come to mean providing "special compensatory educational programs"—a term which is viewed with great dismay and concern by the Negro community. Compensatory programs must not be used as substitutes for achieving maximum desegregation.

The basic problem, however, is how to approach constructively and affirmatively the elimination of de facto segregation to the fullest extent possible.

Neighborhood School Concept. The NAACP is also concerned about the neighborhood school concept. The neighborhood school concept has become such a relative term that it almost has no meaning except in terms of specific school systems and specific school attendance areas. Frequently what is called a neighborhood school is not a neighborhood school at all as far as distance is concerned.

It is not necessary in all instances to abandon the neighborhood school concept to achieve maximum desegregation. But where the neighborhood school results in de facto segregation and where the only way of eliminating de facto segregation is to abandon the neighborhood school because it is not possible to adapt a plan for change within this concept, the NAACP takes the position that the neighborhood school must be abandoned, if the question must be posed as sharply as that.

Educational Park. It has also been suggested that the concept of the educational park or the educational center be considered as another long-range basic approach which, as one of its attributes, would result in racial balance in larger city school systems.

Need for Policy Statement. There must be a commitment on the part of local school boards and school administrators to finding new and imaginative approaches, if the old ones are not going to do the job. There must be a commitment in the nature of a policy statement which serves as a guideline for reexamining the entire structure of the school system. The commitment must be followed up by meaningful administrative action.

Racial Quotas. Much has been said about racial quotas. The NAACP has never insisted or urged that there be fixed quotas or percentages of white and Negro children in every school in a school system. In some cases a percentage has been suggested as a guide to school officials in dealing with this problem. What this percentage should be will vary from community to community and must be very flexible.

In school systems that must deal with problems of desegregation, the problem becomes not an educational but a political issue. One of the basic considerations in such cases is the role of the superintendent of schools, the relationship of the school administration to local boards of education, and the kind of direction and leadership that can and must be provided by the school administration. The school boards very frequently are not aware of the issues and have no idea of how to begin to deal with them.

The term "de facto segregation" suggests that segregation in the schools results solely from segregated housing, and the NAACP contends that this is not entirely so.

The debate is not over how to designate these schools but to recognize that, whether they are called de facto segregated schools or called racially imbalanced schools, they are undesirable educationally.

School systems have an obligation to redress the situation, regardless of how it came to be.

The NAACP is not so unrealistic as to expect that within a limited time any school system, certainly any large school system, could completely reorganize the school system on a totally different basis.

Transportation of Children. Yet there is no justification whatsoever for transporting children from overcrowded Negro schools to underutilized white schools and keeping those children in self-contained segregated units throughout the school day where the school system has admittedly said this is done for a matter of administrative convenience.

Similarly, in school systems where schools have been districted in order to maintain these schools as predominately white schools, the NAACP would urge, where gross discriminatory practices can be eliminated within a relatively short time, that this be done.

But in terms of a citywide, overall plan of desegregation, the NAACP would be perfectly agreeable to sitting down with school officials and attempting to work out a timetable for meaningful action as quickly as possible, with concern for the school administration's having time to formulate and to implement a sound plan.

Those schools that are segregated in fact are discriminatory and inferior in every way.

Problem of Vested Interests. There are undoubtedly vested interests in the Negro community just as there are vested interests in the white community. But the vested interests in the Negro community that are more concerned with maintaining segregated institutions than with providing an institution that meets the needs of the time are not reflecting the temper, or the mood, or the drive, or the motivation of the Negro community as a whole. It would be misleading for anyone faced with this problem to deal with it in terms of the vested interests of either the white or the Negro community.

In any city, there are going to be schools that simply cannot be desegregated even after rezoning, creation of the educational parks, all of the old and the new plans to come. There are simply going to be schools that will not be desegregated schools, that will remain Negro schools. And there is no question that there are children who need a great deal of help in terms of the basic skills of reading.

School boards frequently represent the vested interests of the community. The public school system in America has never been committed to social change, despite what is said publicly. On the contrary, the public school system in the U. S. has been organized on the basis of class and color to the extent that housing patterns have lent themselves to this. The NAACP is seeking a change in that basic organization. The program to achieve maximum desegregation and the use of special educational efforts must complement each other.

School Desegregation Program

The NAACP launched the Northern school desegregation program a year and a half ago. The issues have been raised and clarified. Reasonable time for these issues to be discussed and for plans to be formulated has been granted. When it becomes clear that school officials are not acting in good faith, protests in the form of demonstrations have been ordered. Demonstrations will be directed not only at school officials but also at the power in the community wherever it may be.

There will be criticisms of school programs when a school board, a school administration, or a school superintendent fails to acknowledge that segregated schools, regardless of the causes, are inherently unequal.

When the problems of desegregation are being discussed, it is desirable to include a good cross section of representatives from the so-called Negro community.

B. National Urban League

The National Urban League certainly agrees with and subscribes to the actions taken by the NAACP in the matter of public school desegregation. Their efforts are supported 100% because unless children are brought together physically in an educational environment, many of the other things which are also necessary will not be achieved. The Urban League believes that this is a first step, and that this is where the priority should lie.

Job Discrimination

Automation is bad enough but if to automation is added the problem of job discrimination by management and trade unionism, discrimination in apprenticeship training programs, and subtle if not overt discrimination by many educational systems in terms of vocational education, it is not surprising that many Negro children today are underachievers and undermotivated and become disproportionately represented on the dropout rolls.

The Urban League calls upon the institution of education, whether it be at the Federal, state, or local level, to give serious thought to the total problem of the needs of these children by establishing a full-time position and delegating responsibility to those who will provide full-time guidance to the administration, to the school board, and to the entire school system on what needs to be done in this area.

Counseling and Guidance

The problem of counseling and guidance

for minority group youngsters, especially Negro youngsters, is a unique problem within the total concept of what is known about guidance and counseling. There are some additional factors that counselors must be aware of if they are to help minority children overcome the scars of abuse and deprivation and to brighten their occupational horizons so that they may aspire to new areas of opportunity.

Public School Leadership

The leadership of the Urban League has observed that some public school administrators, some superintendents, are ahead of their board members in possessing the social science understanding necessary during this transitory period.

Some school superintendents are limited in their ability to act because of the slowness of their boards. Too few citizens have an understanding of urban sociology.

The Urban League endorses and supports the efforts exhibited in such programs as the Hunter College project and Project Beacon at Yeshiva University, which are designed to recruit and encourage teachers who have a concern to work in these very difficult areas.

The textbooks and other curriculum materials should reflect more accurately the multiracial composition of American society. There are adequate studies already available, including two by the Anti-Defamation League, which indicate that by and large the image of minorities in contemporary America has been all but overlooked in textbook materials.

Superintendents must provide the leadership and tell publishers what the schools need. There are too few school systems around the country that have enunciated strong policies in this direction. This has to be done.

Walter Lippmann indicated a few weeks ago that it might well be that the attention being given to the racial aspects of education will force citizens to look with greater intensity at the overall problems confronting education today.

The Problem of America

There is no such thing as a Negro problem in America. If anything, there's a white problem in America. The responsibility for its correction does not rest with just the NAACP and CORE and the Urban League. The responsibility rests with the business empire, the labor empire, the churches, the schools, and all other social institutions in the communities. This is really the problem of America. It is not a Negro problem; it is an American problem.

There are only 65 local units of the Urban League in America. The Urban League sees its role as a catalytic agent. But in those communities where there is no Urban League or other organization concerned with the rights of minorities, the effort must be made just as if the organizations were present and school leaders have a moral obligation to be in the forefront.

C. Congress of Racial Equality

The main value seen in a confrontation of this kind is that the collision course which appears to be developing in many communities may be avoided.

What precipitates much of CORE's local activity is the difficulty of understanding a local Higher Horizons Program, a local program for preferential treatment, unless it is clearly presented to the local community as being only one dimension of a program of total community integration, both residential and educational. Unless this is done, such a program leads to a great deal of suspicion.

Preferential Treatment

A program of Higher Horizons or of preferential treatment cannot only be something to be misunderstood, but it can also have a distasteful connotation. It has all the connotations of an attempt to misuse and to be disingenuous in a situation which requires the utmost of honesty. The real point here is that this kind of a preferential program done on a pilot basis or any other basis seems spurious, unless it is part of a logical extension of a program of complete educational integration and residential integration in a community. And this is the way it has been accepted by many communities that have been put in a situation of assessing what does this program really mean because motivation cannot be honestly assessed.

But in the final instance, what is seen here perpetuated is a much more modernized, streamlined, and sanitary segregated pattern which is going to carry on for another couple

of generations. This is the prime concern of CORE.

Neighborhood School Concept

The first step is getting committed in a metropolitan area the board of education and the school administrator so that they will not be able to administer anything less than a program which foresees the complete integration of that school system. This is something hard to achieve. The idea of a neighborhood school is held sacrosanct, yet this situation can only be interpreted as being the segregated school.

The analysis of any dimension of the whole problem of discrimination in America can only be traced to its perpetualization and institutionalization within the context of the school system itself.

The second point is the need of local school administrators to immediately follow a policy for a locally integrated school system. Physically, this necessitates the introduction very quickly of the personnel, the money, the renovation of physical plant to equalize that differential which now exists between the downtown city school system and the suburban school system. There are questions to which immediate answers cannot be supplied—Where the money is going to come from? How is community awareness of this deficiency to be developed?

Urban Renewal

Whether it's a conscious conspiracy or not, there is, in fact, a conspiracy of moving about on residential basis in terms of the new residential patterns which are being established in many of the Northern cities as a result of urban renewal. There is being built into this new residential pattern, being built in with all of the scientism, with all of the civic endorsement, and indeed, in some cases of the religious endorsement of a community, and with a great deal of celebration, a pattern of tighter residential segregation and a pattern of tighter educational segregation. It's against this kind of emerging pattern that spontaneously arising forces are reacting.

There is nothing that CORE is initiating. It is merely something that CORE is trying to control and more effectively to establish its focus so that there can be a redress of the grievances. Unless it is perceived on this basis, there will be very little understanding exchanged at this Conference.

There is a need to revitalize the core city area, a need to make more attractive the downtown city area. CORE sees a pure direct linear extension of all of the patterns of segregation that have occurred in history. As a direct concomitant of this, local boards of education are making decisions in terms of building new schools to have a safe, isolated, insular, all-white educational experience for those people that are now moving back in.

The program of preferential treatment is merely to rub salt into the wounds of these people in this kind of a condition.

Qualitative Integration

It is not only the quantitative difference that CORE seeks, not only the geographical integration, not only the physical integration, but also the qualitative integration. It's the integration of these communities to the best that the dominant community has to offer. Once the physical, geographical integration has been achieved, it's the interjection of those dimensions of excellent education so that the persons going to any core city school would have the same educational experiences as they would have as a result of a biological accident, of living in a suburban situation where they would have an ivy league possibility at the end of their educational route.

Role of Education

There is a real lack of awareness of what really is wrong with the social situation today not just in the South but especially in the North. It's a failure to understand the general contours and outlines of this social crisis and the special role which education has traditionally played. Education has not only permitted segregation, but in actuality education has perpetuated and institutionalized it. This statement is basic to understanding of what CORE has to say, not only as participant at the so-called professional level of the civil rights protest, but also as a conveyor of the mood which exists in the local community. And this is the correct realization that it has not been only by the false drawing of boundary lines, which has indeed taken place and which is still found in some situations, but by the gerrymandering of boundary lines.

PART IV

Guidelines for Study

During the session planned for the School Superintendents on Wednesday, August 7th, an effort was made to identify possible guidelines for study, basic areas of conflict or disagreement, and some possible courses of action that might be embarked upon by local school systems. These guidelines or concerns have been organized under three categories: (a) Administrative Policies, (b) School Boards, and (c) Community Planning.

A. Administrative Policies

Grouping of Children. The general policy of grouping children according to their abilities will need to be reexamined. All grouping should be primarily on an educational basis.

Early Admissions or Prekindergarten Programs. In an effort to ameliorate the factors that are often referred to as cultural disadvantage in the backgrounds of Negro children, factors which interfere with their school progress, school administrators may want to consider plans for reaching these children prior to the kindergarten years. The Pilot Early Admissions Program in Baltimore, begun in February 1963, seems to confirm that the handicapping problems of these children are essentially economic and cultural.

Financial Investments and Costs. It was noted that many of the administrative and curricular efforts to meet the problem will require additional monies; in some cases, considerable amounts.

Legislation. School Superintendents faced with inadequate appropriations, particularly for meeting the problem of de facto segregation, should explore with local, state, and Federal legislature the need for direct legislative assistance.

Pupil Enrollment Policies. It is necessary to examine pupil enrollment policies in the light of many complex pressures. Assuming that efforts are made to do what is reasonable and possible about de facto segregation, there will still remain a number of difficult problem situations. Some white parents may resist efforts to bring about a degree of racial balance. Some Negro parents will resist and oppose movement of their children from the neighborhood school. Teachers and other staff members may encounter problems in connection with variations in the methods of grouping children in classes.

Transportation of Pupils. Concern has already been manifest when there is discussion of transporting white pupils into predominantly Negro schools and Negro children into predominantly white schools.

Outside Consultants. Superintendents should be aware of both the value and the problems attendant on the involvement of consultants who are either invited to study a particular phase of the problem or who are sent into a community or city to investigate some phase of the problem. Some of the phases about which consultants have been used in several school systems involve pupil test scores, personnel policies, and school facilities.

Application of Policies. The participating Superintendents identified the need to make certain that the policies adopted by the board are consistently applied through administrative procedures.

School System Grade Organization. Efforts to meet the problem of de facto segregation will call for a reexamination of the grade plan organization for a school system. This reexamination will come about in part as a result of the challenges to the neighborhood school concept. References were made during the conference to such organizational plans as 8-2-4, 6-3-3, 4-4-4, and 5-3-4. Implications for bond and school construction referenda were discussed.

Academic Standards. Participants identified a general concern that apparently is shared by citizens and school staff members, that academic standards may actually decline during the desegregation process. Part of the concern of some parents relates to the possibility that academic standards may be lowered as a consequence of racial mixing.

Integration in Relation to Educational Policy. The Superintendents identified as the fundamental purpose of the schools the education of children and youth. Perhaps the most important problem confronting superintendents is the problem of maintaining sound educational programs and policies and simultaneously mitigating the effects of de facto segregation. Tied in with this problem is the question as to the leadership role and responsibility of public education in resolving segregation problems. The question was considered in relation to the role of the school in the process of social reconstruction, specifically as that process relates to building up the lower classes, as they are called, and getting these individuals into the mainstream of American life.

Relationship Between School Administration and Teacher Organizations. Superintendents should consider relationships that exist between the school administration and the various teacher organizations. Many of the teacher organizations have adopted policies on desegregation and, in some instances, these organizations have become active in promoting these policies.

Instructional Materials. If the assumption is valid that textbooks and other instructional materials and aids essentially reflect middle class, white, Protestant values in society, then the need exists to reexamine this phase of the educational program.

Pressures on School Facilities. Insofar as the school system may be charged with de facto segregation, regardless of the soundness of the charge, in connection with the use of portable or mobile classrooms or the transportation of pupils, the policies and administrative decisions will have to be carefully drawn and regularly studied.

Public Information. It was felt that superintendents may need to embark upon expanded programs to inform the public about many of the more serious and basic problems of education. Not only would the program include dissemination of information but would call for a participating involvement of citizens in an understanding of the issues and in formulating cooperative efforts to resolve the issues.

Staff Positions. Superintendents might consider establishing one or more staff positions the function of which would be in the area of human relations, communications, and other matters bearing on the total problem.

Research Efforts. Attention should be given the possibility of designing research projects that would meet the requirements for foundation financial aid or Federal aid.

Teacher Recruitment and Staffing. Racial imbalance problems in the big cities and other communities, coupled with other problems and challenges, are having and will continue to have direct bearing upon teacher recruitment, teacher assignment, and stable deployment.

Program Adjustments. It is likely that adjustments will be required in many aspects of the educational program, some of which may be quite wide-scale in their effect.

Cooperation with Higher Educational Facilities. School superintendents should explore with representatives from teacher training institutions and other institutions of higher education the many complex problems of racial imbalance and desegregation.

B. School Boards

Leadership. In the matter of de facto segregation issues and problems, school boards may be called upon for leadership of broader dimensions and wider scope than has typically been the case. The problems of segregation and racial imbalance will be solved over a period of time. If school boards do not assume a strong leadership role, leadership will be assumed by other individuals and organizations.

Identification and Recognition of the Issues and Problems. School boards will find it increasingly necessary to identify the problems and to recognize the issues.

Defining the Role of Public Education. Time and effort will need to be devoted to defining the role and function of public education, including the role that public education may be forced to play in what might be termed the social reconstruction of American democracy.

Advisory Committees. School boards may find it helpful to involve citizens serving on advisory committees whose main function would be to study the issues and submit suggestions or guidelines for action. The importance of widespread citizen participation in understanding the issues would seem to be great.

Cooperation of Other Agencies and Organizations. Recognizing the fact that the civil rights problems involve total communities, school boards should actively seek the understanding, the cooperation, and the participation of other agencies and organizations in working toward solutions. Such cooperation and participation should include immediate and long-range planning in the areas of housing, recreation, community master planning, school construction, highways, etc.

Court Actions. The recent increase in court decisions relating to school segregation suggests an urgency on the part of school officials to examine community concerns and to assume educational leadership. School policies and implementation will be stronger when developed by school staff, community, and school boards rather than through legal decisions or mandates.

Implications for Local School Boards and Federal Actions and Programs. In certain instances, Federal decisions and Federal programs have direct implications for education in local communities. It is possible and, in some cases, can be demonstrated that problems have been created as a consequence of housing programs and highway constructions.

Some Possible Effects of Civil Rights Issues on School Finance When A Sound and Democratic Program Is Slow in Developing. School boards need to be mindful of potentially serious effects on the school finance programs as a result of the action and interaction of pressures and counterpressures in civil rights areas. Support for budgets and millage campaigns is probably influenced by such community changes as population mobility, declining property tax, revenues, public housing, and per capita wealth changes.

C. Community Planning

Community planning by the entire community is undoubtedly required if the issues are to be squarely faced and the problems gradually solved. Such broad community participation and community planning should be based upon such facts and understandings as the following:

1. The survival and progress of American democracy is significantly related to the civil rights issues.
2. Civil rights are concerned with a vast social problem including housing, job opportunities, economics, sociology, etc.
3. Public understanding should precede public action.
4. The crisis is national even though it is evidenced in localities.
5. Efforts to mitigate de facto segregation must also be related to forces of resegregation.
6. Community planning and community action should be based on an understanding of pressures and the absence of pressures.
7. Possible or desirable consolidation of school districts may be adversely affected by the desegregation issue.
8. It seems reasonably clear that schools are not the prime cause of the problem.
9. The exodus from the cities of white citizens, many of whom are the more capable citizens who have given support to public education over the years, has increased the problem of desegregating schools.
10. The goal should be the elimination of race consciousness. Either good or bad, however, race consciousness is now and will be for some time to come a major problem.

11. There is wide variation among communities in their sensitivity to the issues, their readiness to take action, and in their level of progress.

12. While the problem of equal opportunity dates back a century or more as applied particularly to the Negro, it is a problem that must be confronted and steps must be taken to assure that citizens have equal rights and opportunities within the framework of law.

13. Human anxieties will affect behavior of individuals, groups, and organizations.

14. Care should be exercised in distinguishing between differences that may be present in the views of community leaders and views of the general public or segments of the public. Efforts to mitigate de facto segregation will have some effect on the parochial and independent school.

15. Citizens should study the extent to which state and Federal legislation may be primarily directed by rural thinking and planning. The function and service of all public media should be understood and studied.

16. One of the most difficult of the many challenges confronting communities is the challenge of bringing about a coordination of the efforts and programs of all agencies and organizations in communities.

Summary

This summary of the Conference attempts to identify several of the broader concerns discussed by the Conferees. In no instance is there any intention of suggesting procedures or actions for any individual or any community. The Conference was precisely planned as a study conference and, while it was hoped that some general guidelines might be forthcoming, in no instance was there any thought that the Conference would furnish a specific program of action. The fact of local responsibility was clearly stated before and during the Conference proceedings.

This report represents in brief a synopsis of the issues, concerns, and ideas expressed with no regard for pronouncements or recommendations. One of the values of the Conference would seem to have been the opportunity for the participating Superintendents to identify problems and to recognize more fully and more clearly the complexity of these problems.

Complex Dimensions. Of the many complex dimensions, the following represent what were considered the more important:

1. Semantics
2. Concise identification of the real concerns and issues
3. The effect of immediate decisions on long-range planning
4. The establishment and maintenance of sound educational practices and principles
5. Changing attitudes
6. Human relations
7. Racial imbalance as an issue of principle, not as a matter of percentages or quotas
8. The time factor or the extent of forcing and pressuring
9. The absurd, even though logical, proportions that could be reached in the "forced mixing" of pupils on the basis of racial, economic, social, and other background factors
10. Understanding the differences and similarities between current and historic grievances
11. Constitutional question of freedom of choice
12. The need for research and creative approaches
13. Settling the problems with intelligence and without bitterness
14. Examination of the erosion of inner cities with implications for city and metropolitan planning

15. Relationships between public school education and other governmental agencies including housing, highways, recreation, etc.
16. Local, state, and Federal legislative action on support of public education of high quality
17. Educational programs designed to develop a citizenry capable of handling the complex problems of an ever-changing world
18. Problems of trying to superimpose or precisely apply plans from one community to another
19. The need for new solutions, new tools, and new ideas
20. Preparation and planning in anticipation of demands on top of demands
21. The importance of innumerable practical problems arising as policies and programs are developed
22. Interpretation of court cases and legal interpretations of court decisions
23. Roles and responsibilities of public media
24. A sense of urgency in seeking and finding at least partial answers

Consideration of Approaches. The opportunity to exchange ideas, to identify and clarify issues and problems, and the discussions with representatives from Federal agencies and three national Negro organizations led to a constructive consideration of approaches to the administration of educational programs to achieve better racial balances in the public schools while at the same time safeguarding educational standards for all children and youth.

Sense of Urgency. The participating Superintendents and State Commissioners gained a sense of urgency in working toward the solution of problems of de facto segregation. Existing solutions that have been applied in individual communities need to be studied for possible adaptations in those communities as well as to other school systems. The need to develop new designs and patterns was discussed within the framework of a sense of urgency in correcting inequalities stemming from racial imbalances.

Basic Principles. The Superintendents considered the basic principles involved in working out solutions and restudying programs already in effect in some communities. Consideration was given zoning and rezoning of schools, adaptations of the particular grade organization plan of the schools, administrative reorganization pertinent to the use of schools, the closing of certain schools, the altering of feeder patterns as pupils proceed from elementary to junior high to senior high schools, and open enrollment. Expanded school utilization by the community was also discussed.

In terms of educational standards, the challenges identified related to the desire to raise educational standards, examination of the need for special educational services, and a study of the neighborhood school concept as it relates to de facto segregation.

Long-Range Plans. Several of the long-range plans discussed included site selection, the concept of the educational park, the role of the superintendent and relationships to the school board as well as to the public, and the development of instructional materials appropriate to the needs of all children and youth.

As had been announced prior to the Conference, the designation of specific solutions to racial imbalance problems was not expected, certainly not as an immediate outgrowth of the Conference. Several guidelines were considered by Superintendents in seeking solutions to local desegregation problems and concerns. It was noted that Superintendents were participating as individuals so that precise recommendations or proposals would not necessarily involve local school boards that have the responsibility for establishing educational policy for the local school systems.

Development of Policies. The Conference was conducted in an informal spirit in an attempt to explore and define concerns and to discover and delineate promising solutions which seem practical and feasible. Discussions focused primarily upon the development

of policies and application of procedures that could assure every child's being provided with maximum access to equal educational opportunities.

Coordination of Efforts. Superintendents also considered other broad community and social problems which affect the operation of the public schools and efforts being made by cities and communities to counteract de facto segregation.

Emphasis was placed upon broad coordination of community and national resources and upon sound planning in meeting the complex desegregation challenge.

Follow-Up Conference. The possibility of a follow-up conference, perhaps in February or June 1964, was deemed desirable by the Conference participants. No specific decision was made, however, other than to identify the desirability and potential usefulness of a follow-up conference.

Goals of Public Education. The Conference plan was based on the premise that public education is founded on the fundamental principle that all children and youth must be afforded equal, fair, favorable, and appropriate opportunities to acquire an education and to discover and develop fully their talents and capabilities in a free society. In order that individual cities and the nation continue to progress, public education must make every effort to provide the environment and guidance that will make it possible for young people to expand to their fullest potential, to develop a set of values based on moral precepts and social effectiveness, to learn to think critically and analytically, and to act responsibly. The keystone in such a program of education is the full recognition and respect that must be accorded the worth and dignity of each child, youth, and adult.

The Conference provided still another opportunity to move closer to the basic goals of public education in a free society.

CONFERENCE AGENDA

MONDAY, AUGUST 5, 1963

9 a.m.—12 noon—Morning Session

BUSINESS SESSION FOR SUPERINTENDENTS AND STATE COMMISSIONERS ONLY

9:00 a.m.	Greetings	GEORGE B. BRAIN, *Conference General Chairman*
9:15 a.m.	***Business and Procedural Matters***	ROBERT C. LLOYD, *Conference Coordinator*
10:00 a.m.	Break	
10:15 a.m.	***Issues and Problems Facing Superintendents***	PHILIP J. HICKEY, *Chairman*
12:15 a.m.	Luncheon	

1:30—5:00 p.m.—Afternoon Session

1:30 p.m.	***Services That U.S. Office of Education Could Provide in Assisting Local School Systems***	LAURENCE G. PAQUIN, *Chairman*
2:30 p.m.	Break	
2:45 p.m.	***Housing Patterns and De Facto Segregation***	
3:45 p.m.	***U.S. Civil Rights Commission—Studies and Findings on De Facto Segregation***	
4:45 p.m.	Announcements	
6:30 p.m.	Dinner	

TUESDAY, AUGUST 6, 1963

9 a.m.—12 noon—Morning Session

BASIC DESEGREGATION ISSUES AFFECTING PUBLIC EDUCATION

DAVID G. SALTEN, *Chairman*

9:00 a.m.	Announcements
9:15 a.m.	***Immediate and Long-Range Goals of NAACP***
10:15 a.m.	Break
10:30 a.m.	***Immediate and Long-Range Goals of the Urban League***
12:15 a.m.	Luncheon

1:30—5:00 p.m.—Afternoon Session

1:30 p.m.	CALVIN E. GROSS, *Chairman* ***Immediate and Long-Range Goals of CORE***
2:45 p.m.	Break
3:00 p.m.	***Legal Implications Relative to Desegregation and De Facto Segregation***
4:45 p.m.	Announcements
6:30 p.m.	Dinner

WEDNESDAY, AUGUST 7, 1963

9 a.m.—12 noon—Morning Session

BUSINESS SESSION FOR SUPERINTENDENTS AND STATE COMMISSIONERS ONLY

HAROLD S. VINCENT, *Chairman*

9:00 a.m.	***Possible Administrative Solutions and Experimental Design***
10:15 a.m.	Break
10:30 a.m.	***Budget Implications of Possible Administrative Solutions and Experimental Design***
11:30 a.m.	***Business and Procedural Matters***

12:15 p.m.—2 p.m.—Luncheon Session

	Conference Summary	GEORGE B. BRAIN, *Conference Chairman*
2:00 p.m.	Adjournment	

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